

Members

Sen. Sue Landske, Chairperson
Sen. Connie Lawson
Sen. Timothy Lanane
Sen. Karen Tallian
Rep. Russ Stilwell
Rep. Phil GiaQuinta
Rep. Kathy Richardson
Rep. Robert Behning



CENSUS DATA ADVISORY COMMITTEE

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MEETING MINUTES¹

Meeting Date: October 20, 2009
Meeting Time: 10:00 A.M.
Meeting Place: State House, 200 W. Washington
St., Room 233
Meeting City: Indianapolis, Indiana
Meeting Number: 2

Members Present: Sen. Sue Landske, Chairperson; Sen. Timothy Lanane;
Sen. Karen Tallian; Rep. Russ Stilwell; Rep. Phil GiaQuinta;
Rep. Kathy Richardson; Rep. Robert Behning.

Members Absent: Sen. Connie Lawson.

The Chair, Senator Landske, called the meeting to order at approximately 10:08 a.m.

Committee members present introduced themselves.

Testimony of Secretary of State Todd Rokita

The Chair recognized Todd Rokita, Indiana Secretary of State, to discuss his redistricting proposals. Secretary Rokita began his presentation by showing slides that illustrated his proposals.² The slides depicted several existing legislative and

1. Exhibits and other materials referenced in these minutes can be obtained electronically by requesting copies at licrequests@iga.in.gov. Hard copies can be obtained in the Legislative Information Center in Room 230 of the State House in Indianapolis, Indiana. Requests for hard copies may be mailed to the Legislative Information Center, Legislative Services Agency, West Washington Street, Indianapolis, IN 46204-2789. A fee of \$0.15 per page and mailing costs will be charged for hard copies. These minutes are also available on the Internet at the General Assembly homepage. The URL address of the General Assembly homepage is <http://www.in.gov/legislative/>. No fee is charged for viewing, downloading, or printing minutes from the Internet.

2. Secretary Rokita's proposals are elaborated more fully on the following website:
<http://www.rethinkingredistricting.com/>

congressional districts and contrasted them with hypothetical districts that could be drawn by observing the following redistricting principles:

- (1) District boundaries should respect various communities of interest. Secretary Rokita said 21 states observe this principle in drawing maps.
- (2) Districts should be relatively compact. Secretary Rokita said 36 states follow this principle.
- (3) District boundaries should respect boundaries of existing political subdivisions. Secretary Rokita said 44 states comply with this principle.
- (4) Districts should be drawn without using political data such as the location of home addresses of incumbents and election returns. Secretary Rokita said 12 states honor this principle.

In addition to the four principles he discussed, Secretary Rokita said that he would propose that the Indiana House of Representatives districts be "nested" within Indiana Senate districts; that is, each Senate district should be composed of exactly two House districts and each House district should be included in only one Senate District. Secretary Rokita said that nested districts would make it easier for voters to know who their various representatives are.

Representative Stilwell asked Secretary Rokita what the population deviations were for his hypothetical maps as compared to the existing districts and observed that he believed that population deviations between the existing districts were much smaller than in the hypothetical districts. Secretary Rokita responded that the United States Supreme Court permitted population deviations of up to 10% between state legislative districts and up to 0.35% between congressional districts in the same state.

Senator Lanane questioned the need to impose criminal penalties for the use of political data and asked whether the line between demographic data and political data was always clear, noting that in order to preserve communities of interest, certain demographic data may be important to evaluate whether a district plan was faithful to that principle. Secretary Rokita responded that any data necessary to comply with the Voting Rights Act should not be ruled out and that he was not insistent on criminal penalties. In response to Senator Lanane's question regarding the formation of an independent commission to draw district maps, Secretary Rokita said he was more interested in the principles that guided the redistricting process than who draws the maps.

In response to Senator Tallian's question about the relative importance of the criteria he advocates, Secretary Rokita said that he would rank the prohibition on the use of political data as the most important. He said the next most important criterion is the preservation of communities of interest: district lines should follow known community and political boundaries. Secretary Rokita noted that the traditional compactness requirement in many ways is just another way of requiring the preservation of communities of interest.

Secretary Rokita responded to questions from Representative Stilwell about the redistricting website that his office has established and from Senator Landske and Representative GiaQuinta about the population variances that are allowed. Secretary Rokita responded to questions from Representative GiaQuinta about lawsuits filed against Indiana plans. Representative GiaQuinta also observed that the General Assembly could

use any or all of the criteria proposed by Secretary Rokita without the need for a statutory change. Senator Tallian questioned whether Secretary Rokita's proposals would save much money because regardless of the way districts are drawn, the circuit court clerks will be required to deal with many different ballot styles in their respective counties.

Testimony of Cathy McCully

The Chair recognized Cathy McCully, Chief, Census Redistricting Data Office, United States Census Bureau. Ms. McCully distributed a folder of materials.³ Ms. McCully briefly discussed each of the items in the folder and described the current work of the Census Bureau in preparing for the 2010 Census. She discussed upcoming dates of importance, including April 1, 2010, which is the "Census Reference Date". Ms. McCully said that except for some isolated areas of the state, Indiana seems to be doing well in preparing to count "hard to count" areas.

Ms. McCully explained that the 2010 Census will use a "short form" with only ten questions. She discussed how the American Community Survey which is conducted several times during the period between each decennial census is the program that now gathers the information that previously was collected on the census "long form". The American Community Survey uses statistical samples of the population to obtain demographic and economic data.

Ms. McCully described the Census Bureau's tight deadlines for sending redistricting data to the states, such as Indiana, that legally are required to complete redistricting shortly after the census data are compiled. Indiana is usually the first state to receive its data; except after the 2000 Census, Indiana typically receives data during the first week in February.

Ms. McCully described the Boundary and Annexation Survey, which is a program that updates boundaries of political subdivisions annually. Ms. McCully said that the 2010 shape files will be posted in December and that the Bureau will accept technical changes to the files.

In response to questions regarding vacant housing and enumeration of residents in nursing homes, Ms. McCully said there will be a three-day period (March 29 through March 31 of 2010) to count the homeless at shelters, outdoor locations, food banks, and other places where the homeless are found. She said there are more than 300,000 group quarters in the country, including nursing homes, dormitories and military bases, and described some of the methods to count people in group quarters. Ms. McCully also briefly discussed the count resolution process, which is a procedure to correct mistakes.

3. The folder is Exhibit #1 to these Minutes. The folder contains the following information: (1) A copy of the FEDERAL REGISTER/ Vol. 67, No.144/ Friday, July 25, 2002/ Notices, pages 48871 through 48877. (2) A copy of the FEDERAL REGISTER/ Vol. 69, No. 93/ Thursday, May 13, 2004/ Notices, pages 26547 through 26548. (3) A pamphlet titled "Designing P.L.94-171 Redistricting Data for the Year 2010 Census, the View from the States, issued September 2004 (U.S. Census Bureau). (4) A brochure titled "The 2010 Census Redistricting Data Program" (U.S. Census Bureau). (5) A handout titled "2010 Census: Partnership at a Glance, 2010 Census Partners", issued February 2009 (U.S. Census Bureau). (6) A handout titled "2010 Census: Partnership at a Glance, Elected Officials", issued February 2009 (U.S. Census Bureau). (7) A handout titled "Geography Counts . . . Make the 2010 Census Work for You", issued May 2007. (8) A "data wheel" titled "American Community Survey". (9) Ms. McCully's business card.

In response to questions from Representative Richardson, Ms. McCully said that data delivery is scheduled to begin during the second week of February 2011. She also reiterated that everyone will get a short form; long forms will be used only with the American Community Survey. She said that the Census Bureau sends the annexation survey to a political subdivision's highest executive authority. College students are counted at their location of residence on April 1, 2010. Students living off campus are counted as if they are living in a household.

Testimony of Mark Everson

The Chair recognized Mark Everson, Commissioner, Indiana Department of Administration.⁴ Mr. Everson said that the Governor had asked him to serve as the State's "Complete Count Coordinator" for the 2010 decennial census. Mr. Everson discussed the importance of the census for making decisions about many aspects of daily life, from how H1N1 vaccine should be distributed to how funding decisions are made by government. He discussed different demographic data relating to Indiana; for example, Mr. Everson said that Indiana is the second in the nation in the number of college students who reside in their parents' homes. He discussed the Census Bureau's "Complete Count" program, saying that Indiana is the twentieth most difficult of the states to count. Mr. Everson described the role that businesses, faith-based organizations, cultural and educational institutions and local government organizations play in helping count all of the people who reside in Indiana.

Testimony of Maureen Bard

The Chair recognized Maureen Bard, Office of Census Data, Legislative Services Agency.⁵ Ms. Bard discussed the work that the Office of Census Data has been doing to prepare for the Census and the redrawing of congressional and General Assembly districts.

Testimony of Senator Michael Young

The Chair recognized Senator Michael Young to discuss his concerns with the use of electronic security protocols in vote centers and how those concerns had been addressed by Senate Enrolled Act 209, which was enacted during the 2009 Session and vetoed by the Governor.⁶ Senator Young explained his concern about issues relating to use of hardware, software, and electronic signatures at vote centers.

After a brief discussion about the need for another meeting during November, the Chair adjourned the meeting at approximately 12:07 p.m.

4. Mr. Everson distributed an information sheet titled "United States Census, 2010 Indiana, 2010 Census Business Overview". A copy of the sheet is Exhibit #2 to these Minutes.

5. Ms. Bard distributed written information titled "Office of Census Data". This information is Exhibit #3 to these Minutes.

6. Senator Young distributed a copy of Governor Daniels's veto message for Senate Enrolled Act 209, dated May 11, 2009. A copy of the veto message is Exhibit #4 to these Minutes.